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ALBUQUERQUE, NEW MEXICO, TUESDAY, SEPTEMBER 23, 1913.

## Sulzer, Up Against It, Will Come Down Off High Horse

Suspended Executive, Regularity of Impeachment Being  
Sustained, Relinquishes Strangle-Hold on Office to Get  
Busy Answering Charges; Failure to Report Campaign  
Funds Not Legal Offense, Claim.

(By Leased Wire to Evening Herald.)

Albany, N. Y., Sept. 23.—D. Cady Herick, counsel for Governor Sulzer, announced at the onset of today's session of the high court of impeachment that the governor would cease henceforth to exercise the functions of the executive office, until the termination of his trial.

Nearly all the members of the court were in their seats when it convened. "The court having overruled the motion of the respondent," said Judge Cullen, "to dismiss the articles of impeachment on the ground that the assembly had no right to prefer the charges at any extraordinary session, it now becomes incumbent on the respondent to make answer to the charges."

Judge Herick, chief counsel for Governor Sulzer, then announced that in view of the fact that the court had refused to dismiss the proceedings, the governor would renounce his claim to the right to exercise the functions of governor pending the termination of the trial.

Judge Herick had the floor throughout the morning session. After a long address in support of his motion for the dismissal of three articles of the impeachment, dealing with Sulzer's statement of campaign expenses and alleged speculations in Wall Street, he summed up his argument as follows: "The failure of the governor to file a complete and accurate statement of campaign contributions did not so constitute any offense recognizable by our laws."

"The election law does not require a statement of contributions made to a candidate."

"The failure of a candidate to file the statement required by this act is not an offense, but subjects him to a peremptory demand by a court to perform this duty. William Sulzer never

received such a demand.

"The statute recognizes a candidate's right to be given notice of errors in his statement and his right to an opportunity to correct them. The state cannot call him to account until it first has accorded him the right."

"The penal code does not require a candidate to file a statement of contributions made to him and there are no other statutes on this subject. 'Incorrect statements of facts, inserted in an affidavit, but not material thereto, do not constitute perjury. Perjury cannot be based on an oath which was neither required nor authorized by law.'

"As the election law does not require the statement to be verified and as neither the election law nor the penal code require the candidate to insert contributions made to him there is no ground for the charge of perjury, nor for the charge of neglect of duty."

These points were advanced in a supplemental brief which came as a surprise to members of the high court, to whom copies of Judge Herick's original brief had been distributed.

Messengers were sent scurrying to obtain law books and the members seemed to take a greater interest in the new contentions than they had evinced during any of the other legal preliminaries. Informal whispered consultations were held.

Shortly before adjournment for lunch Edgar T. Brackett began to speak in behalf of the prosecution. He argued that a candidate for office is amenable to the laws governing the place to which he aspires as is the incumbent of it.

A criminal act committed before an officer's induction into office made the perpetrator as guilty in his new position as before his election, he declared.

## WOULD ELIMINATE REGIONAL BANK PLAN FROM BILL

Senators Reed, Hitchcock and  
Bristow Would Mangle Cur-  
rency Measure Beyond Ail  
Recognition.

CRITICS FEAR COMBINE  
TO PINCH SMALL BANKS

(By Leased Wire to Evening Herald.)  
Washington, Sept. 23.—Complete revision of the framework of the administration currency bill was proposed by Senators Reed, Hitchcock and Bristow today during the examination of Samuel Untermyer before the senate banking committee.

Reed and Hitchcock have vigorously assailed certain provisions of the house bill. Today Senator Reed advanced what he called the Hitchcock plan, which would eliminate the scheme of regional reserve banks and substitute a government issue of currency to individuals in the commercial paper backed by a 25 percent gold reserve up to 75 percent of the capital stock of each bank. That would be in addition to the present bank note issue.

Senator Reed criticized the regional bank plan as making the individual banks "subservient to some combination of banks."

Mr. Untermyer opposed the Hitchcock plan as not affording enough security to the government for the issue of the currency. Mr. Untermyer will return Monday.

Mrs. Merriam Tartar, Is Claim.

San Francisco, Sept. 23.—She attempted to poison herself many times and gave poison to our child. There is army medical testimony to support that," declared Captain Henry C. Merriam, U. S. A., today, testifying in the divorce suit against his wife, Captain Merriam already had testified that his wife twice tried to shoot him with his own revolver.

## CLANCY ASKS SCALP OF ASSESSOR PEACOCK OF DONA ANA COUNTY

(By Leased Wire to Evening Herald.)  
San Francisco, Sept. 23.—F. W. Clancy, attorney general, as chairman of the state board of equalization has filed charges in writing with the district attorney in the Third district, asking the removal of D. V. Peacock, assessor of Dona Ana county, on the ground of neglect of duty. It is claimed that Peacock should have had his tax rolls in July 7, and that they did not arrive until more than two months after that time.

## 200 ALBANIANS ARE SLAUGHTERED BY SERBS

Fierce Engagement on New  
Albanian Frontier Follows  
Attempted Invasion of Ser-  
bian Territory.

(By Leased Wire to Evening Herald.)  
Vienna, Sept. 23.—In a fierce battle today between Serbian troops and Albanians on the new Albanian frontier, 200 Albanians were killed and a large number wounded. A dispatch to a local newspaper says that the fighting occurred between Dibra and Jakova, where many of the battles fought in the Balkan war. The encounter was brought about by an attempt of several thousand Albanians to penetrate the territory captured by the Serbians from the Turks. They were repulsed. The Serbian troops lost one captain and a considerable number of men. They since have been reinforced.

## PRIMARY ELECTION IN MASSACHUSETTS SEES FEW DISAGREEMENTS

(By Leased Wire to Evening Herald.)  
Boston, Sept. 23.—A primary election for the November state election was held in Massachusetts today with few contests.

Interest centered on the contest for the gubernatorial nomination on the Republican ticket between Colonel Everett C. Benson, of Belmont, and Congressman Augustus P. Gardner of Hamilton. There was also a contest in the Democratic party for lieutenant governor between Edward P. Barry of Boston and Richard H. Long of Framingham.

There was no opposition to Charles S. Bird of Woburn, or Lieutenant Governor David P. Walsh of Fitchburg for the leading places respectively on the Progressive and Democratic tickets.

Another Inflation Victim.  
Elkins, West Va., Sept. 23.—Head Phares, a merchant of Valley Head, near here is in a critical condition from an injury sustained during an inflation ceremony of a fraternal order. A "sparker" containing a dynamite cap was being used. The cap exploded with much force, inflicting a serious wound.

## 9,000 MINERS IN COLORADO LAY DOWN TOOLS

Big Coal Strike Inaugurated  
Without Disorder, Effecting  
Practically Complete Tieup  
of Industry.

## SIX THOUSAND IDLE IN TRINIDAD DISTRICT

United Mine Workers' Offi-  
cials Pleased; Operators Say  
Over Half of Men Stick to  
Jobs.

(By Leased Wire to Evening Herald.)  
Denver, Colo., Sept. 23.—The coal miners' strike in Colorado, called by the United Mine Workers of America to secure recognition of the union wage and other concessions, became effective at 5 o'clock this morning. Except in a few small mines, operated by independent companies, the tie-up was more or less complete and was accomplished without disorder, the day shift merely refusing to go into the mines at the usual hour.

Of the 10,000 to 12,000 men usually employed in the mines of Las Animas, Huerfano, Fremont, El Paso, Boulder and Routt counties, figures based on incomplete reports placed the number of idle at between 7,000 and 8,000. How many of these previously had left the various camps could not be determined.

Apparently the fight centered in the Trinidad district, comprising Las Animas and Huerfano counties, where most of the mines are operated by the Colorado Fuel and Iron company, the Victor-American Fuel company and the Rocky Mountain Fuel company. Normally more than 8,000 men are employed in these counties and impartial estimates today place the number of idle men at about 6,000.

In Fremont county, where, about 1,100 men usually are employed, it was said that 1,000 are idle. In this county two small mines employing about 100 men continued in operation. From Routt county reports were that 400 of the 600 miners were on strike. Comparatively little effect of the strike order was seen in the mines of Boulder county, where a strike has been in progress for several months. The only serious defection was reported at Lovelock, where 200 men quit. In Lafayette, Marshall and Superior conditions were normal.

United Mine Workers' officials express gratification over conditions based on early reports, and predicted that the tie-up would be practically complete by night. Some of the local operators stated that their private reports showed as high as 55 percent of the men were at work in some mines with practically a total stoppage of work in a few cases. They expressed the belief that many of the men would go back to work in a few days.

Union pickets were stationed around mines, notably at Louisville, in northern Colorado. At Louisville officials continued preparation to care for strikers and their families in the ten colonies established in Las Animas, Huerfano and Fremont counties.

The chief points at issue are: Recognition of the union, check weights based on tonnage rates, eight-hour day for all classes of labor, pay for dead work, and abolition of the guard system.

J. F. Welborn, president of the C. F. & I. Co., today expressed gratification over the situation, with no defections in his company's properties in the Glendon and Crossed Butte districts. He declared that so far as his company is concerned more men continued at work than had been expected. In a signed statement he charged that many of those who stayed out of the mines "did so because they had been intimidated," and predicted that "when they see they will be protected many will return." He declared that the company would take steps necessary to "protect its men at work."

He expressed confidence that there is no danger of a coal shortage for domestic consumption and announced that he did not anticipate having to close the steel plant at Pueblo. He added that it might become necessary to curtail production in some departments, but that if this was found necessary those departments which use the least amount of coal would be continued in operation.

D. W. Brown, president of the Rocky Mountain Fuel company, denied the report that 200 men had gone on strike at Louisville, in northern Colorado.

Rhetoric Stewart, federal mediator sent to Colorado by the department of labor in an effort to avert or settle the strike, arrived in Denver last night. This afternoon he was in conference with Governor Ammons. Before calling on the gov-

ernor he visited the headquarters of the United Mine Workers here. He declined to discuss his mission or the result of his observation of Colorado mine conditions.

## MINNEQUA STEEL PLANT MAY HAVE TO SHUT DOWN

Pueblo, Colo., Sept. 23.—There is a possibility that the Minnequa steel plant of the C. F. & I. Co. will be compelled to shut down in a week or two if the coal mine strike becomes serious. Since strike talk began the force has been reduced. Five hundred men were laid off more than a week ago and in anticipation of the strike, order being obeyed 1,000 more were laid off Saturday night.

## CRIPPLE CREEK MAY BE TRIPPED BY STRIKE

Colorado Springs, Colo., Sept. 23.—Late reports today indicate that the strike situation here is more serious than at first supposed, and that it may also lead to partial paralysis at least of mining operations in the Cripple Creek district, which secures most of its fuel from this point.

An investigation shows that the Colorado Springs and Interurban Railway company operating the electric car lines of the region, has only coal enough on hand to run its plant for ten days at half service. Other public utilities companies are said to be short of fuel and some of the mills and smelters, such as the Golden Cycle mill at Colorado City have but a four days' supply of fuel.

The operators are having more trouble in securing strike breakers than was anticipated, it is said. It has developed that the men secured at Pueblo yesterday refused to work when they were interviewed by local organizers upon their arrival at Pikeview.

## 80 PER CENT STRIKE IN HUERFANO AND LAS ANIMAS

Trinidad, Colo., Sept. 23.—Eighty per cent of more of the miners of Las Animas and Huerfano counties struck this morning. The union leaders declare by tonight that the tie-up will be complete. The operators declare that every mine in the two counties but three is working with a few men. Starkeville in this county and Ideal and Picton in Huerfano county are closed. No disturbances have occurred.

Late reports from the coal mines of Las Animas show that the number of men who are working and who have failed to regard the strike order is increasing. Ninety men are at work at Elmore, seventy at Soria and 125 at Morley, and for the operators the situation has assumed a more hopeful aspect. Hundreds of striking miners hitherto not members of the union have joined the local headquarters of the United Mine Workers this morning to join the union and receive the benefits.

The accommodations for shelter provided by the organization have been inadequate at several places in the county. Scores of women and children who failed out of the camps were caught in a drizzling rain and reached the nearest camp of the strikers suffering somewhat from exposure. A steady stream of striking miners has been pouring into this city to find facilities until the crisis is over.

This morning Sheriff J. S. Grisham and District Attorney J. J. Hendrick held a consultation to consider the matter of ordering the closing of all saloons. In view of the quiet prevailing here and the absence of all disorder the order was not given. The exodus of the miners from the camp has been going on peacefully and no attempt has been made to restrain them. The reports of the morning show that the tie-up of the coal mining industry in Las Animas county is by no means complete. Operations are going on with a reduced force of men. The officials of operating coal companies have asserted that unless those now at work later lay down their tools the backbones of the strike will be broken.

## LITTLE EFFECT NOTED IN BOULDER COUNTY

Boulder, Colo., Sept. 23.—The strike called by the United Mine Workers in Colorado today had little effect on mine operations in Boulder county, according to reports received early today. It is estimated that approximately 1200 men are employed regularly in this county.

About 200 men, mostly at Louisville mines, did not go to work this morning, according to reports received up to 10 o'clock by J. H. Wilkins, general manager of the Rocky Mountain Fuel company. The mines at Louisville were picketed by union men.

## MINES IN CANON CITY DISTRICT TIED UP

Canon City, Colo., Sept. 23.—With the exception of two mines, the Royal George and the Nona No. 5, both employing a small number of men, the mines in Fremont county are idle this morning, due to the strike called by the United Mine Workers of America. At 9 o'clock partial reports received from the coal camps indicated that 98 per cent of approximately 1100 men employed in Fremont county had quit work.

## HOOSIER WINS IN BIG MONTANA LAND GRAB

(By Leased Wire to Evening Herald.)  
Oglaque, Sept. 23.—Samuel A. Crow, of Hammond, Ind., drew ticket No. 1 in the Fort Peck land opening today.

After Crow, the following drew tickets: Thomas J. McInroy, Oshkosh, Wis.; John J. Giffert, Fort Scott, Kas.; Martin Gohmert, Miles City, Mont.; Charles Drake, Helena, Mont.; Charles E. Neely, Havre, Mont.; Harry Moran, Crown Point, Ind.; Hiram C. Saunders, Clarkson, Neb.; Carl M. Peterson, Hinsdale, Mont.; Charles A. Perry, Wilkison, N. D.; Henry J. Mukden, Seattle, Wash.; Freeman B. Brunskey, Chinook, Mont.; Leo Jordan, Jefferson City, Mo.

## THAW WEEPS MELTED BY LAWYER'S PLEA

Defendant Deeply Moved By  
Eloquence of Attorney  
Pleading to Keep Client Out  
of Foolish-House.

## REAL STRUGGLE FOR FREEDOM BEGINS

Both Sides Realize Time of  
Sparring for Points Is Past  
as Extradition Hearing Be-  
gins.

(By Leased Wire to Evening Herald.)

Concord, N. H., Sept. 23.—Harry Kendall Thaw wept today as his counsel pleaded with Governor Fisher not to surrender him to New York authorities who were determined to return the fugitive to the Matteawan insane asylum.

Seated only a few feet from William Trent Jerome, Thaw followed the arguments closely and when his eyes were not blinded by his handkerchief, they were fixed intently on the face of the special deputy attorney general of New York as though he were the man to be convinced. At Thaw's side sat his mother and brother.

Jerome opened the extradition arguments by merely saying that the duty of the governor to grant the extradition was plain.

William C. Chase, of Concord, former judge of the supreme court, and Wm. A. Stone of Pittsburgh, former governor of Pennsylvania, argued for Thaw. They occupied an hour and a half after which an adjournment until 2 o'clock was taken.

This afternoon was given to Jerome to reply.

Judge Chase and Governor Stone argued the petition for extradition was insufficient in form and unsupported by the necessary evidence and that the state of New York having, through its courts declared Thaw insane, could not now request from New Hampshire his extradition for a crime which by its nature only a sane man could commit. This alleged crime was conspiracy to escape from Matteawan.

Thaw's real fight for freedom began today. With the opening of the extradition hearing by Governor Fisher, counsel on both sides realized that the hour of legal sparring for a temporary advantage had passed and that the outcome rested on the interpretation of points of law, regarding which few, if any, precedents had been found.

Mr. Jerome declared this afternoon that the Dutchess county grand jury had indicted Thaw. He said that an indictment was found and signed, but it had not been made public at his request in order that he might present to the jury evidence against "the instigator of this plot, a man of more importance than any one yet mentioned in this proceeding."

Governor Stone asked for time to file supplementary briefs and was granted until Monday. The hearing was then declared at an end.

## DISBARMENT DEMURRER IS FILED BY RENEHAN

(Special Correspondence to the Herald.)  
Santo, N. M., Sept. 23.—A. H. Renahan, a prominent attorney of this city and the state, who is defendant in disbarment proceedings here, has filed a demurrer to the charges. Mr. Renahan is alleged to have acted improperly in three cases, known as the Juan Lavato grant case, the Gossett action (both in Rio Arriba county) and the Reich case in this county.

A hearing on the charges, should the demurrer not be sustained, will be held September 29.

The disbarment proceedings against J. E. Wharton, of Tucuman, have been advanced to November 1, as Mr. Wharton is at present absent from his home. Both matters are before the supreme court.

## CHICAGO INTER-OCEAN HAS SERIOUS FIRE

(By Leased Wire to Evening Herald.)  
Chicago, Sept. 23.—Fire broke out in the paper and ink store room of the Chicago Inter-Ocean late today. The flames spread rapidly, necessitating a call for extra engines. Many employees of the paper, which occupies the entire West Monroe street side near Dearborn, fled from the smoke-filled structure.

To Discuss Press Work.

Washington, Sept. 23.—Relation of the newspaper to the government with special reference to the publication of ill-advised or incorrect stories about the Mexican situation, will be discussed by Secretary Daniels in Indianapolis on Wednesday night, in an address before the Indiana members of the Associated Press.

## Get Out or Be Shot Villa's Ultimatum to Americans

Refugee Arriving at El Paso After Flight on Mule Says  
Peevish Rebel Leader Has Had Enough of "American  
Filibusters" and Will Drive Them Out on Pain of Death  
Now Filling Up Jails.

(By Leased Wire to Evening Herald.)

El Paso, Tex., Sept. 23.—Dr. C. E. Schuchterford, an American citizen, arrived here today from Santa Fe, Chihuahua, Mexico, a refugee from Pancho Villa, the rebel leader. "He gave him 24 hours to get out or be killed," Dr. Schuchterford is a native of Frankfort, Ky., and has been living in Santa Fe for six years. He says when Villa and his rebel band came to the town on the 15th, Villa sent for him, told him he was afraid of "you American filibusters" and in Mexican and declared that he would shoot them all if they did not get out.

"Villa took all my books and accounts and told me he would collect my money," said he. "He also said my house and furnishings were forfeited to the rebels, and placed two guards over me to see that I did not desert with any money or property. I left at one o'clock the morning of the 16th. I had to walk out, carrying a mule case, which is all I escaped with. I hired an old mule at a ranch and reached the Texas line at Presidio Sunday night."

"I reached El Paso this morning. My family was forced to flee from Santa Fe in May last. They are now in Chihuahua. All the Mexican men of prominence in Santa Fe have had to flee from the rebels and when I left there last Tuesday morning, Villa had thrown all the prominent Mexican women of the town into jail for what purpose I do not know, and had searched every home for money. There is not five hundred dollars left in the town. Villa told me he was going to kill the American officials of the Cochise Dam company, near Santa Fe. He has promised to a captain the lieutenant who killed Burton, the New Jersey man, some time ago."

## TWENTY-THREE REFUGEES DUE IN TEXAS CITY

Washington, Sept. 23.—Today's diplomatic dispatches reported twenty-three American refugees due in Texas City tomorrow from Vera Cruz on the steamer City of Tampa. The steamer at Tampa reported that since August 23 he had sent more than 400 refugees to Laredo and Galveston, and that only a few more were expected to go from Tampa. According to advices from Tuxtepec there are approximately 300 Americans in that city, many anxious to leave. Many refugees are reported en route from Durango to Nuevo Laredo via Mexico City. When a rebel dynamited a railroad train 55 miles south of Sotillo

## SCHMIDT'S PARENTS HOPE HE'S NOT THEIR SON

Aged Father of Self Confessed  
Girl-Slayer Comes From Far  
Off German Home to Take  
Look at Priest.

(By Leased Wire to Evening Herald.)  
New York, Sept. 23.—The father of Johann (Hans) Schmidt, self-confessed murderer of Anna Ammerl, has decided to come to New York from his home in Germany, according to a dispatch received here last night. The parents of Hans Schmidt still hope to find that the accused priest is not their son.

Two attorneys employed by District Attorney Whitman will examine Schmidt, probably tomorrow.

## PRINCE DIDN'T MARRY MRS. F. H. PARKHURST

(By Leased Wire to Evening Herald.)  
Rome, Sept. 23.—Prince Romolo, who died yesterday at Rome, did not contract any marriage by religious rite with Mrs. F. H. Parkhurst of Bangor, Maine (formerly Miss Marie Jennings Reid of New Orleans), according to his brother, Prince Camillo Romolo, ex-commander of the papal guard.

Prince Camillo issued today an emphatic denial of the published reports of the marriage. "Independently of other considerations," he said, "such a marriage was impossible, as the annulment of Mrs. Parkhurst's marriage to Colonel Parkhurst had never been admitted by the Catholic church."

## Fighting in Ecuador.

Quito, Ecuador, Sept. 23.—Armed groups attacked the Eritas barracks on Sunday night, but were repulsed. The casualty list numbered three killed and five wounded.

## Roosevelt Backs Lindsey.

Denver, Sept. 23.—A letter from former President Roosevelt to Juvenal H. Lindsey, endorsing the fight in his fight against a threatened recall, was made public here. In his letter the former president says: "Every decent man and woman in the United States should be heartily with you in this struggle."

Recently, the only American citizen, W. W. Harlan of San Francisco, escaped injury, but was robbed of money.

## SENEGAL PINCHED BY MEXICANS IN JAIL

El Paso, Tex., Sept. 23.—James J. Kenney, of Waterbury, Conn., a discharged sergeant from the Fifth United States Cavalry, on route home from Fort Huachuca, Ariz., was arrested by Mexican soldiers in Juarez today because he appeared in that city in uniform. He was later released for the Juarez military to the custody of American Consul T. D. Edwards.

Because of military interference with officials of the Mexican Central railroad, the officials in Juarez presented today to Mexican City and order were received today that the military would for instance have jurisdiction over the train movements except for troops. The complaint was made as a result of the military officials of the railway designating certain favorite firms to receive cars for goods when other applicants should have had priority claim. There is a shortage of cars.

## TWENTY-FIVE REFUGEES REACH MEXICO CITY

Mexico City, Sept. 23.—Twenty-five American refugees from Durango arrived here today, having traveled overland to Zacatecas, where they boarded a train for the capital. Out of the normal American population in Durango of 3,000, less than 25, all men, remain.

Most other foreigners also have left Durango according to the refugees, who say that the rebels rob Mexicans and foreigners indiscriminately. Some ranches were looted so often that nothing portable remained.

## THIRTY-FIVE KILLED BY MEXICAN DEMONSTRATIONS

San Luis Potosi, Mexico, Sept. 23.—The number of killed in the dynamiting of a train at the Mexican National railway Sunday was officially fixed today at 35. The dead include civilians and soldiers.

## CONSTITUTIONALISTS MAY COLLECT TAXES

Malamora, Mex., Sept. 23.—An opinion of Secretary Bryan to United States Consul Johnson says that persons in de facto authority under the principles of international law may collect taxes in interpreted here as acknowledging the right of constitutionalists who are in charge of the city to levy and collect taxes in Malamora.

## MILITANTS BURN A BIG HOLE IN \$1,000,000 MANSION

Damage Amounting to \$400,000 Done by Arson Squad of  
Amazon Northwest of Liver-  
pool.

(By Leased Wire to Evening Herald.)  
Liverpool, England, Sept. 23.—Millitant suffragettes set fire early today to a mansion at Seaford, four miles northwest of Liverpool, causing \$400,000 damage. The members of the "arson squad" left a quantity of suffrage literature strewn about the lawn.

The building was formerly used as a convent and was undergoing reconstruction at a cost of \$150,000. It was to be turned into a hospital for invalids. The entire property is valued at nearly \$1,000,000.

## LOCKMAN CHINESE TWO.

Tranton, N. J., Sept. 23.—Raymond P. Clee, five years old, and Catherine Flynn, seven years, pupils in the public school of Morrisville, Pa., died of lockjaw in a hospital here today as a result of picking the wounds on their arms after having been vaccinated.

## TRAMP ARRESTED; ALLEGED SLAYER OF CONDUCTOR MARTS

(By Leased Wire to Evening Herald.)  
Colorado Springs, Colo., Sept. 23.—A tramp answering the description of the murderer of Conductor Samuel E. Marts, of Silver Bend, Colo., Sunday night, was arrested here at 4 o'clock this afternoon by Deputy City Sheriff Dayton at the request of District Attorney M. W. Turner, who saw the man with a crowd of tramps. Patrolmen saw the man standing near the tracks, as he stepped from a Pullman car, after having accompanied the posse which followed him. The posse which followed him, a bloodhound for more than 24 miles.